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# human rights review



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## HUMAN RIGHTS REVIEW

*These articles of timely interest for the International Year for Human Rights are reprinted from the periodical CITIZEN.*

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# Some Thoughts on Individual Freedom

*"Independent thought, the salt without which all our liberties would lose their savour."* (Goldwin Smith in *The Empire*, 1863)

The complexity of modern life, characterized as it is by the growing involvement of government at all levels, has made it more difficult for the individual to retain a sense of personal independence, a capacity to flex his muscles and avoid a feeling of frustration, of being hemmed in by bureaucracy and red tape. Society in general is too complicated, he feels, government too immense, the forces at work in planning, guiding and directing his actions too numerous and varied to be easily dealt with. The result is often a feeling of being gradually stifled, overwhelmed, caught in the grip of a giant machine.

How can the individual gain and keep personal freedom in a complex society such as ours? Freedom is, of course, not absolute. Restrictions, rules and regulations, embodied in our laws, our moral code and social customs, form part of the life of modern man. Can the individual, however, live within these necessary restraints and yet keep his freedom of spirit?

Consider some of the following suggestions.

## *Keep Yourself Informed on Public Questions*

No one is entirely free who is wholly dependent on some one else's judgment in matters of public interest. He is like a leaf, at the mercy of whatever wind happens to be blowing, lacking as he does the stabilizing factor of his own inner convictions based on sound information. Lack of interest, inertia, a feeling of helplessness in the face of events may result ultimately in a dictatorship in which the freedom of the individual would be completely lost.

On the other hand, an alert, well informed citizen is in a position to make a shrewd appraisal of how well public affairs are being managed on his behalf. He is free to criticize the actions of his representatives in government and other spheres of public interest, reasonably confident that he knows the facts and can support his contentions.

How can the individual keep himself informed on the problems that confront the community, the province and the nation? Certainly it is true that many of them are complex and difficult to comprehend. Yet it is also true that it has never been as possible for people to learn what is going on in the country as it is today. The public is served by television, radio, newspapers and magazines to a greater extent than ever before. There would seem to be little reason, as a consequence, for anyone to say that public affairs are beyond his scope of study or concern. One does not always need to have the solution in order to be well informed on a problem.

In addition to reading and listening to the news, the well informed individual reads editorials and special commentaries, studies journals of opinion, listens to public affairs broadcasts and telecasts and, in general, learns to sift and evaluate news. If he is interested in a particular subject, he will read books dealing with it, attend lectures and try to discover the most reliable information.

A citizen may not always know what is the wise decision for government leaders to make. Even the Members of Parliament lack the technical knowledge required for many of the decisions that have to be made today. But neither Parliament nor the people back home must ever lose the right to ask questions of government leaders and to investigate their decisions.

At the same time, the individual who is well informed, whose opinions are based on knowledge and conviction, is an individual who has independence of mind.

#### *Be Willing to Change your Opinions*

It was said by a former Prime Minister of Great Britain that, "The man who never changes his mind never uses his mind."

It is a simple fact that no one can always be right. In the world of today change occurs very rapidly. As a consequence, we

live in an age of specialization and it is beyond the power of the individual to make himself conversant with more than a few subjects or fields. Even in these limited circumstances, it is a wise man who keeps an open mind. This is especially true in those areas in which one might tend to assume his superiority. The individual who closes his mind to new ideas or approaches has lost part of his freedom. He is the prisoner of his own thoughts. In the words of Marcus Aurelius, "Remember that to change your mind and follow him who sets you right is to be none the less free than you were before."

In the past it has been common practice to associate age with wisdom, without recognizing the possibility that age can also mean stagnation. Thus, the tendency of the young to regard with impatience the habit of the older generations to support the status quo, to resist change, to accept the known rather than risk the unknown, to cling to security.

Yet it is by running risks and reaching beyond the commonplace that most of the major advances have occurred. Throughout history the great discoveries have been made by people who refused to be bound by current thought or opinion. The early explorers were told that if they sailed out into the unknown seas they would fall off the edge of the earth. Yet they went. Today man has explored far vaster oceans of space and has made astounding discoveries in the world of technology. Behind these advances lies the thinking of men who explored new ideas, unfettered by what was considered possible at the time.

### *Combat Prejudice in Yourself*

In spite of the great technological achievements of our age, much remains to be accomplished in the field of human relations. Groups and individuals of different ethnic or racial backgrounds often find it difficult to get along with each other, to accept each other for what they are and to regard the differences between people as an enriching element in life.

A man who is a slave to his prejudices is not a completely free man. Attitudes of hostility, contempt and mistrust limit the full development of the individual's personality and lead to a narrowing of the spirit. Hate, as we know, is usually destructive, while love is expansive, creative and produces a sense of freedom.

By setting up barriers to communication, prejudice cuts people off from the richness of association with those of different backgrounds and cultures and tends to make them prisoners of their own group.

The prejudiced person may carry about with him a conscious or unconscious burden of guilt. Such a burden is incompatible with freedom of spirit. As Herbert Spencer, the nineteenth-century English philosopher, observed, "No one can be perfectly free till all are free . . ." As long as the freedom of some is limited by discrimination practised against them and by other means, the freedom of every man is endangered.

### *Improve your Education and Skills*

In this day and age it is vastly important to keep abreast of developments in one's own job or work area. This is equally true for the housewife (who might more aptly be named the "domestic engineer" considering the impressive array of household appliances) as for the pure scientist whose primary concern is nuclear fission.

The more one learns today the less likely he is to become the victim of his own ignorance. By failing to keep abreast as the world hurries along, the individual has sacrificed another bit of his freedom—freedom to accept new challenges or opportunities in his work, freedom to assess the usefulness to himself of modern methods and techniques, freedom to change jobs if need be or if a better one presents itself.

Education also opens the door to an understanding of some of the great creative writers and thinkers of the past and of our own day. Familiarity with their works and ideas helps one place contemporary society in perspective and thus preserve an island of personal freedom amid the complexity of modern life.

### *Plan your Own Activities*

A surprising characteristic of modern society is the degree to which people are not only willing, but anxious, to allow someone else to plan and direct their activities for them. The old saying, "People would sooner be led than lead", was perhaps never truer than it is today.

People tend to join groups, not because they are especially interested in the causes or the programs, but because their friends or relatives do. Many organizations are filled with people who cannot explain why they are there. With the vast array of outlets for one's energies today, it is important to be selective in planning activities. Failure to do so results in the individual being imprisoned in a morass of other people's ideas and decisions.

How can an individual be free if he no longer enjoys the right to think, to decide for himself, to choose what he will do because that is what he *wishes* to do and not what he *ought* to do. A bit of one's freedom goes every time one acquiesces in a decision with which one does not agree, merely because it is less complicated to accept it than to argue.

### *Be Ready to Participate*

Living today places a greater emphasis on participation than ever before. It is no longer regarded as logical for the intelligent person to be a mere spectator. Too much is happening around us to be ignored. The main thing is to be sure of the facts and then join in. "Joining in" or participating may mean voting at elections, expressing one's views on questions of community interest at meetings of voluntary organizations or community groups or perhaps through letters to the press or to one's Member of Parliament. In this way it is possible to help determine the course of events instead of running the risk of being swallowed by them.

The participant retains a freedom of choice which the non-participant has relinquished to others. How often is it said, "In my opinion, we should have done so and so!" How often is this comment made by an individual who expressed no opinion at all until *after* the decision was reached. Such an individual fails to recognize that he has forfeited a piece of his personal independence by neglecting to make his opinions known. He must now live with decisions which he did not share in making. He has, in fact, built his own cage.

### *Be Willing to Accept Responsibility*

It is a sobering thought for many that freedom from responsibility is inevitably accompanied by dependence upon others—whether it be upon other individuals or upon society and

the state itself. Voluntary organizations and agencies find it difficult to maintain an active membership and even more difficult to maintain a sufficient number of leaders to fulfil their objectives.

It is virtually impossible to retain one's personal freedom if major decisions affecting one's life activities, surroundings, leisure, beliefs are left solely in the hands of others. Only to the extent that we are ready to share the responsibility for decisions affecting us, are we demonstrating an awareness of the dangers that lie in indifference or inertia.

These dangers are always present when the individual feels stifled and hemmed in by the increasing complexities of modern society. However, by taking into account the factors outlined above, he may find that he has succeeded, to some extent at least, in gaining and keeping his personal freedom.

## A Fresh Look at Discrimination

Discrimination is a subject which is constantly in the news these days. Newspaper headings, such as the following, frequently catch our attention: "X University states that its application forms no longer include questions on race and religion". . . . "A couple from the Philippines, who were refused an apartment, have decided not to start proceedings". . . . "A man accuses a hotel keeper of discrimination". . . . "New Canadians hesitate to lodge a complaint". . . . "A private club denies an accusation of discrimination against three Negroes". . . . "Sixty per cent of employers refuse to take on Indians". . . . "Twenty per cent refuse to rent to Negroes and Orientals". . . . "No discrimination in our town". . . . "Out of twenty-two universities, eighteen do nothing to stop discrimination in the renting of furnished rooms to students". . . .

What do these accusations, denials, offended feelings, offers to apologize, contradictions mean? Is it always a question of discrimination?

Discrimination as an idea is very simple; and yet in practice it is quite otherwise. The dictionary tells us that discrimination is "to observe a difference between", "to distinguish from another", "to make a distinction." Discrimination allows us to distinguish between people and objects according to their peculiarities, thus preventing confusion between them.

In fact, as the dictionary shows, the faculty of discriminating—that is, seeing clearly, recognizing one thing from another—is the very basis of our intelligence. That is to say, without this faculty of discrimination, thought becomes impossible. One word is as good as another and distinctions, precisions and shades of meaning are all lost. Everything is the same as everything else. Under

these conditions our senses—sight, hearing, smell, taste, touch—all become ineffective.

So, if discrimination as a faculty is a universal tool of existence itself, what counts is the use which is made of this tool. It may be used in an infinite number of ways. The driver who distinguishes between green and red in traffic lights will by this very fact be able to drive more safely. But this same faculty of making distinctions, between colour or creed for example, may be applied to man with unpleasant results.

Here we are dealing with the word discrimination in its narrow, special sense. In French, the expression “unfair distinction” is often used instead of “discrimination” to make it clear that this is a type of discrimination which is different from the others. In the United States, where the word “discrimination” is currently more widely accepted than in French, specialists have adopted the expression “differential treatment” for the sake of greater precision.

In the booklet, *Let's Take a Look at Prejudice and Discrimination*,\* discrimination is defined in its pejorative sense as “unequal and unfavourable treatment, either by denying rights or social advantage to members of a particular social category; or by imposing special burdens on them; or by granting favours exclusively to the members of another category, creating in this way inequality between those who belong to the privileged category and the others.”

#### *A Key Question: Is Discrimination Relevant or Not?*

If we wish, not only to accept, but to understand and judge, such statements as, “X University states that its application forms no longer include questions on race and religion”, then the definition of discrimination given above, useful though it may be, is no longer sufficient. We must be specific. We must ask ourselves whether the unequal treatment on which discrimination is based is relevant in a particular situation and in what way it is or is not relevant. In other words, has discrimination in a particular case an objectively *useful* purpose in practice and, on the other hand, is its purpose *valid* in terms of the ideal of society?

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\* Published by the Canadian Citizenship Branch, Ottawa, 1964, 51 pages. Free on request.

To begin with, let us look at the first of these two terms. By "useful" we mean: in a very specific case, does discrimination serve a real purpose? This is the first question and must be distinguished from the second which is whether this purpose is valid or not.

#### *Relevance of Discrimination from a Functional Point of View*

If the above-mentioned form from X University was used in the selection of students wishing to study at that university, the questions on race or religion served no real purpose. From an objective point of view, neither race nor religion is a relevant consideration in the intellectual or academic field. The student is judged on personal merit and not on qualities previously attributed to the whole group, regardless of the student himself. Gifted individuals, less gifted individuals and those who are not at all gifted are found in every group.

However, in a university where teaching is done separately according to the race or religion of the students, a question on race or religion would have a purpose which was not only useful but very important. Discrimination, the distinction that the questions on race and religion would bring out, would in such cases be useful and relevant. Would it be a valid discrimination? Yes, according to the standards and ideals of such a society. But this is a second and quite different question. Let us continue with the first: the useful purpose of making a distinction in a specific case.

Let us return to the case of X University which, we will say, has abandoned questions on race and religion. Once the student has been admitted, are there specific cases where it might be useful to ask questions to find out the religion of that student? On a large campus where no one knows anyone else, student religious circles, priests and clergy might find it very useful to be able to contact members of their particular religion among the new students. This would be considered inadmissible only in a society where there is no religion. So we see that what is discrimination—or rather, unjust distinction—in one case is not necessarily so in another; everything in a given situation depends on the use made of discrimination, that tool which is so innocent in itself.

As for the question aimed at establishing the race of a candidate, it is much more difficult to find an objective purpose

for that. It evidently presupposes an environment where the racial origin of an individual is without relevance or importance in everyday life. At the most, a question on racial origin might be kept in a questionnaire as a "statistical curiosity." Some people maintain that such a "curiosity" shows hidden social and cultural interest in race.

Continuing with the example of the university, are there cases where some distinctions between individuals are undeniably useful? A question of language, for example. The fact that an individual does or does not know the teaching language—whether French or English in Canada—is of primary importance. So it cannot be said that a distinction based on the language of the student is not a relevant one. It obviously remains to be seen whether the student who does not know the language will be admitted; but this does not make any difference to the fact that the language is a relevant question to be retained in the selection of students.

Thus, it may be said that there is discrimination *and* discrimination; that is, useful and useless distinctions. Discrimination may or may not be relevant according to the specific case which is being considered. For example, one may read in the paper: "A complaint is laid by an employee against his employer who refused to promote him." There is certainly discrimination here in its widest sense. But is it relevant from the point of view of the duties the man has to perform?

His knowledge of the working language (to simplify the discussion we are supposing that there is only one working language) may be sufficient to do a relatively simple job; but the duties of foreman or other more complex tasks may require linguistic ability that the individual in question does not possess. In an urban, industrial society like ours and one which is so "verbalized", as some people have called it, the ability of an individual to use the language of the environment effectively often constitutes an important factor, not only at the level of simple social relations, but also in the execution of work itself.

This does not mean that the question of language is equally relevant in all situations. Each case must be judged on its own merits. It may be noted, however, that considerations about the

relevance of language in the performance of specific duties in a job tally perfectly with the stipulations of the anti-discrimination laws. The latter forbid discrimination on grounds of origin, colour, race or religion but not language. Although an individual cannot change his origin, there is no reason why he should not learn the indispensable language of his environment whatever his colour, place of birth, or religion.

On the other hand, when we read in the paper that a hotel keeper refuses *a priori* to lodge a traveller because of his race or origin, the discrimination practised may well depend on reasons which we would call irrelevant, since race or origin have nothing to do with the renting of a room. A relevant cause for discrimination in this case might be between people who are clean and those who are dirty. If a hotel keeper wishes to keep out noisy individuals, he would be considered within his rights, provided that all noisy people are excluded and not just those of a certain race.

#### *Relevance from the Standpoint of the Environment and Its Values*

Up till now we have been asking whether, in a particular situation, discrimination is relevant; is there a practical reason for it in relation to the duties to be performed and the specific aims envisaged? These specific duties and aims, however, do not exist in a vacuum. They are part of a civilization and exist within a given type of human society with its values, moral system and philosophy of life.

Today, discrimination based on race, religion, origin, and other similar characteristics is condemned by the ethics of our society. This is shown by editorials in the press and anti-discrimination laws. It is confirmed by statements of court findings such as the following: "Discrimination is illegal because it is contrary to good manners and public order." One judge explained that, "discrimination is repugnant to our society."

Discrimination, therefore, in its sense of unfair distinction, goes against the standards of our present-day society. In this society which aims at the greatest use of human resources, we expect jobs to be available on the basis of merit and ability. We expect all citizens to be able to enjoy freely certain privileges without inequality of rights in practice. And, in particular, eco-

nomic transactions in our urban, non-tribal and often impersonal society must be carried out according to the normal rules of commerce, where the ability to pay may be a determining factor but not the colour or features of an individual or his creed or place of birth. Social origin itself is also becoming increasingly a part of this group of irrelevant criteria which have often been used in the past to make distinctions between individuals

In a fast evolving society like our own, it is not at all surprising that the ideal is not always realized, that there is not unanimity throughout the country concerning the treatment to be given to certain minorities and especially the "visible minorities." Writing about the situation in Canada at the beginning of the 1930's, Ida C. Greaves in *The Negro in Canada* noted that the prospects for improvement in the condition of the Negro population and their children were very limited, considering the obstacles to promotion at work and the problems faced in social life. Many would say that we have come a long way since then.

However, although our society shares the ideal of non-discrimination in the same way as it shares one government and one flag, society is made up of many social groupings which differ in certain ways. Take, for example, the regional differences in the country; differences between certain categories of people—doctors, soldiers, longshoremen, the poor, the rich—where each group has its own peculiarities which distinguish it from the others. Specialists in criminology, for example, have shown that habitual criminals have a "sub-culture", a mentality of their own. By this is meant that certain standards of behaviour, certain ways of thinking which are condemned by society as a whole, may well be "normal" and accepted practice within the "small society" of the criminals.

In the same way, while for some people the distinction between people of different colours or creeds would not be relevant, either from the point of view of the needs or tasks required by a given situation, or from that of the values and the ideal of everyday life, for others such a distinction would have a purpose. This purpose would not be due to the fact that the colour of an applicant has an objective influence on his ability to perform the duties of his work or to pass the examinations of an

educational institution. Rather, discrimination in this case is relevant from the point of view of the values and the ideal shared by a limited number of people, even if this ideal runs counter to the standards of society as a whole. The number of people who share an ideal of discrimination and act on it is certainly decreasing.

### *Ideal and Reality*

The difference, not clearly defined, between the avowed ideal of our society and what is done by certain sectors of this society or certain individuals often gives rise to apparent contradictions. That is why statements such as the following appear in the daily press: "The manager of a certain dance club denies the accusation of discrimination." But, in another section of the paper, the president "promises to send a personal apology to the Negro couple who were unfortunately denied entrance to the dance hall on Saturday night." One newspaper may state, "There is no discrimination in our town . . .", while another says: "It must be admitted that there may be discrimination here but it is decent, moderate, discreet and even subtle . . ." In other words, it is hidden discrimination which is repudiated by the public conscience.

These revelations in the papers are only apparently contradictory. In fact they reflect a double standard: on the one hand, there is the public ideal—there should be no discrimination; on the other, there is actual practice in which there is discrimination.

### *Amount of Discrimination*

When the general situation in a given community is observed, it is not enough to say that there is discrimination. There may, in fact, be a great deal of discrimination or, on the other hand, it may occur in only a small number of isolated cases. In the one case, discrimination would be almost the general rule; in the other, it would be the exception. This is the type of important difference that is often not made clear in vague generalizations.

Thus we note that, after a methodical enquiry in a western town, a student paper revealed that 60 per cent of landlords refuse to let rooms to people of Indian origin. On the other hand, the same paper notes that the proportion of people who refuse to

rent rooms to Negroes and Asiatics is much lower, that is, 20 per cent. In addition, it is noted that discrimination is much lower in apartments where, for the same groups, it is 50 per cent and 16 per cent respectively. A still more searching enquiry would probably have revealed differences according to the section of town, the size of the ethnic population and whether the apartments concerned were new and much in demand or old-fashioned and in poor condition.

Innumerable circumstances may affect the incidence of discrimination. To have a better understanding of discrimination and, where necessary, control it better, it is above all necessary to find out how widespread it is. How can this be done?

#### *Discrimination: Personal Experience or Detached Observation*

If we were to carry out the experiment of asking three coloured people, living in the same part of the same community in Canada, whether there is discrimination in their environment, we would probably receive three different answers. One might tell us that there was no discrimination or so little that it was imperceptible. The second might say that there was discrimination against certain people in certain cases but that he had no personal experience of it. On the other hand, the third person might paint quite a different picture. He might say that there was discrimination everywhere and that it was present all the time under all circumstances. Many stories would probably be told in support of these statements.

There is nothing surprising in the fact that three observers may have three different opinions. This is particularly true if the people concerned are themselves caught up in the emotional drama of living with discrimination and experiencing it. This subjective aspect of discrimination is largely conditioned by the attitudes and way of life of the individual who perceives and interprets the social reality as it affects him. Depending on his personality, his turn of mind and his audience, he will, probably, quite involuntarily, magnify or minimize the discrimination that he is asked to estimate.

In short, the idea that a casual observer gives of the amount of discrimination in his environment will probably be not so much

a reflection of reality as an image of his personal adaptation to this reality, to the difficult situation which discrimination may create. This is a reality but a unique and personal one.

There is another reality of discrimination which may be touched on briefly here. It is the reality of objective observation. This means systematic observation made by an independent observer who knows all the precautionary measures necessary to take in a social enquiry. Such an enquiry would probably give essentially the same results regardless of the personality of the person conducting it.

Whether it is systematic, objective research made by an independent investigator or deep, human observation, enriched by the experience of the person involved in the reality, there is profit to be gained from both types of observation and the facts they produce, however different they may be. It is important, however, not to confuse the two when reading a statement in a paper or listening to an account of discrimination in one place or another. The two types of observation do not ask the same questions nor receive the same kind of answers.

## FOCUS ON INDIVIDUAL AND GROUP RIGHTS

In this day and age much is being said and written about the dignity of man, the nature and extent of human rights, the "creeping bureaucracy", the need for greater safeguards against the encroachment of the state upon the individual, the appointment of ombudsmen to protect the person from the weight of officialdom and an imposing array of related topics.

This concern over the place of the individual in society has been growing in recent years. The complexities of modern living have led government at all levels to involve itself more frequently in matters pertaining to the individual. To many, such encroachment can only result in the ultimate loss of much personal freedom and privacy.

To what extent are individual rights affected by considerations over which the individual exercises little or no control?

### *Traditional Rights*

A likely starting-point in finding an answer to this question might be to review some of the traditional rights that are stressed in "bills of rights" throughout much of the world. These include the right of assembly, freedom of speech, religious freedom, the right of private property and the peaceful enjoyment of such property, equality before the law, freedom from arrest, among others.

Such rights are generally accepted as a matter of fact, although it is further recognized that no right is absolute. The ready acceptance of limitations is considered to be sensible practice in

the interests of an orderly society. No one would surely insist that his rights had been violated if the police prevented the accumulation of a large crowd at the scene of a fire by instructing the onlookers to "keep back, please." Nor would the average person do more than express impatience if anyone were to suggest that his right to enjoy the use of his car was infringed upon by the imposition of a highway speed limit. Such limitations are considered to be "in the public interest" and are accepted by all—or, at least, by most.

### *Individual Rights vs Group Rights*

There are, however, other instances in which individual rights appear to be sacrificed in the interests of the "greater good."

The right of expropriation is a case in point. As society becomes more complex there has developed an ever-growing need to bestow upon public bodies the authority to act on behalf of all the people. This authority often includes the right of expropriation of private property. Municipalities, for example, are empowered to expropriate private property when it is required for the development of public works. School boards may also exercise the same right in acquiring property needed for the expansion or development of schools.

Thus, a situation arises in which the right of the individual to the ownership and peaceful use or enjoyment of his home, for instance, is in apparent conflict with the right of the state to take full possession of the property to serve the needs of the community as a whole. The group rights of society are considered, in these circumstances, to outweigh the rights of the individual.

It may be argued, of course, that curtailment of individual rights in the interests of society at large is so infrequent as to constitute no threat to individual rights or freedoms. How many people, it may be said, have their homes expropriated? True—but some do.

Consider another example. Much attention has been focussed in recent years on the pros and cons of fluoridating drinking water in the interests of preventing tooth decay. Without considering the merits of the case, the fact remains that significant numbers of people oppose fluoridation as a violation of their personal

right to choose their own medication. On the other hand, there are those who feel that failure to fluoridate the water supply is a denial of their right to a healthy body. Either way, some consider their personal rights have been jeopardized by the imposition of group rights, otherwise referred to as "the public interest."

There are other instances in which society takes pains to protect the transgressor, while paying scant heed to the victim. An example will illustrate the point. A criminal commits a robbery with violence. He steals a sum of money from his victim after administering a severe beating. Subsequently he is apprehended and brought to trial. Society is concerned that the accused should receive a fair trial, in order that justice may be served. The fact that the victim of the attack has few, if any, means of redress, either for the loss of his money or for the expenses or loss of time incurred as a result of the beating, receives scant attention.\*

Group rights, or the rights of society as a whole, are sometimes invoked in the name of individuals who are incapable of protecting themselves from the actions of others. Children are frequently removed from the custody of their parents when it is considered that the health or security of the child is in danger. Here society intervenes and exercises a group right to take custody of the child in the public interest, thus protecting the personal right of the child to health and security, while denying at the same time the right of parents to the care and custody of their own children.

#### *Rights of Individual to Equal Treatment*

All of the examples cited above embrace legal considerations, in that the actions taken are based upon law. What of individual rights where the actions lie outside the law?

In a democratic society it is said that all people are equal, regardless of race, colour, religion or sex. Discrimination on the grounds of any of these factors is frowned upon as unworthy of a free society. This general opinion is reinforced by the passage

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\*The province of Saskatchewan has recently passed a law providing relief for the victims in such cases. Other provinces are said to be considering like action.

of legislative enactments prohibiting discrimination in such matters as employment and accommodation. Human Rights Commissions are sometimes established to keep a watchful eye upon the conduct of business establishments with respect to their employment practices or services rendered to the public. In this way, protection is provided for the individual against discriminatory practices that might tend to creep in.

Do the legislation and the enforcement of anti-discrimination laws give assurance that the rights of the individual to equal treatment from the society in which he lives will be respected?

Let us look at a hypothetical case. An Indian (one could substitute Negro, Jew, Chinese or Japanese, among others, with the same end result) wishes to rent an apartment in an average neighbourhood. He answers the advertisement of a new, modern apartment building. He is well received by the manager and signs a lease. Subsequently he moves in and sets about to relax and enjoy his new surroundings—including the swimming pool and other facilities available to him. The management is co-operative and friendly, but there is growing indication of the absence of a similar response from the other tenants. The lack of social acceptance extends to the point of veiled hostility and complete isolation in any social setting. Finally, the Indian expresses his concern to the management, who sums up the situation with the philosophical observation, "Sorry, I can't make my tenants be friendly if they don't want to be. They have the right to choose their own friends."

#### *Goodwill and Individual Rights*

This raises a vital question. To what extent do individual rights depend upon goodwill? There is much reason to believe that the attitudes of others are perhaps the major factor in assuring the rights of the individual. There is an old saying that "you cannot legislate a person into heaven." Nor can you require the individual to like his neighbours. Laws usually deal only with those aspects of human rights that relate to the treatment of individuals by business or commercial firms providing services or facilities to the public, or to those employing more than a specified number of employees.

There are a vast multitude of circumstances in which the rights of the individual are or are not respected by other individuals or by groups and in which legal considerations are not a factor. Prejudices can give themselves expression in literally thousands of ways which lie beyond the law, ranging from a disparaging glance to a belittling or scathing remark. No law may be violated by such discriminatory acts, but the effect is the same—to deny to the individual concerned his personal rights.

In this presentation, attention has been drawn to three types of situation involving individual rights. The first related to circumstances in which the rights of society as a whole are considered to transcend those of the individual. The second drew attention to instances in which the rights of the group or society were used to protect the individual from the actions of other individuals. The third reference was to situations in which group “pressures” are exerted which render it difficult if not impossible for the individual to enjoy his rights, even though no law has been violated in the process.

In the first two instances legal safeguards can be provided that may offer assurance against the misuse of power or authority in the matter of rights. Nonetheless, constant vigilance is required so as to assure that the rights and freedoms of the individual remain secure. It is in those circumstances where no law is violated, where legal safeguards are absent, that every thoughtful person must consider his own position in the matter of rights.

It is perhaps the greatest responsibility of the citizen in a democratic society to respect the rights of others. Such respect arises, not from the requirements of law but from an inherent awareness of the worth and dignity of the individual regardless of colour, creed or sex.

The International Year for Human Rights in 1968 will provide an opportunity for every Canadian to participate in bringing justice and equality to all men, women and children, not only in Canada but throughout the world.

# *The Canadian Bill of Rights*

*An Act for the Recognition and Protection  
of Human Rights and Fundamental Freedoms.*

For some years the possibility of a Canadian Bill of Rights has been a subject of interest not only to Parliament but to Canadians in general. The first draft of a Bill of Rights, C-60, was introduced to the House of Commons by the Prime Minister, Right Hon. John G. Diefenbaker, on September 5, 1958. There was some discussion in the House on this occasion and the Bill subsequently received considerable publicity in the press and by radio and television. Many groups and organizations studied it and some of them made representations concerning it, to the Prime Minister. On July 18, 1959, the Prime Minister announced that with the consent of Parliament, further consideration of the Bill would be deferred until the next session when a parliamentary committee would be set up to study it.

On June 27, 1960, Bill C-79, a revision of Bill C-60, was introduced to the House of Commons and on July 7, the Special Committee on Human Rights and Fundamental Freedoms was set up to consider it. This Committee heard representations from organizations and individuals, and made certain recommendations for revisions. Finally, after much discussion in both Houses of Parliament the Canadian Bill of Rights was passed in the Commons on August 4, 1960, and in the Senate the following day.

The Bill is reproduced here for the interest and information of *Citizen* readers. Some groups may want to make a study of it in order to gain a better understanding of its meaning and significance. As an aid to their discussions, references are given following the text of the Act, to the Debates of the House of Commons and Senate dealing with the Bill, and to the proceedings of the Special Committee of Parliament that studied it.

## **Text of the Bill of Rights**

### *Preamble*

The Parliament of Canada, affirming that the Canadian Nation is founded upon principles that acknowledge the supremacy of God, the dignity and worth of the human person and the position of the family in a society of free men and free institutions;

Affirming also that men and institutions remain free only when freedom is founded upon respect for moral and spiritual values and the rule of law;

And being desirous of enshrining these principles and the human rights and fundamental freedoms derived from them, in a Bill of Rights which shall reflect the respect of Parliament for its constitutional authority and which shall ensure the protection of these rights and freedoms in Canada;

*Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:*

### *Part I: Bill of Rights*

**1.** It is hereby recognized and declared that in Canada there have existed and shall continue to exist without discrimination by reason of race, national origin, colour, religion or sex, the following human rights and fundamental freedoms, namely,

- (a) the right of the individual to life, liberty, security of the person and enjoyment of property, and the right not to be deprived thereof except by due process of law;
- (b) the right of the individual to equality before the law and the protection of the law;
- (c) freedom of religion;
- (d) freedom of speech;
- (e) freedom of assembly and association; and
- (f) freedom of the press.

**2.** Every law of Canada shall, unless it is expressly declared by an Act of the Parliament of Canada that it shall operate notwithstanding the *Canadian Bill of Rights*, be so construed and applied as not to abrogate, abridge or infringe or to authorize the abrogation, abridgement or infringement of any of the rights or freedoms herein recognized and declared, and in

particular, no law of Canada shall be construed or applied so as to

- (a) authorize or effect the arbitrary detention, imprisonment or exile of any person;
- (b) impose or authorize the imposition of cruel and unusual treatment or punishment;
- (c) deprive a person who has been arrested or detained
  - (i) of the right to be informed promptly of the reason for his arrest or detention,
  - (ii) of the right to retain and instruct counsel without delay, or
  - (iii) of the remedy by way of *habeas corpus* for the determination of the validity of his detention and for his release if the detention is not lawful;
- (d) authorize a court, tribunal, commission, board or other authority to compel a person to give evidence if he is denied counsel, protection against self crimination or other constitutional safeguards;
- (e) deprive a person of the right to a fair hearing in accordance with the principles of fundamental justice for the determination of his rights and obligations;
- (f) deprive a person charged with a criminal offence of the right to be presumed innocent until proved guilty according to law in a fair and public hearing by an independent and impartial tribunal, or of the right to reasonable bail without just cause; or
- (g) deprive a person of the right to the assistance of an interpreter in any proceedings in which he is involved or in which he is a party or a witness, before a court, commission, board or other tribunal, if he does not understand or speak the language in which such proceedings are conducted.

**3.** The Minister of Justice shall, in accordance with such regulations as may be prescribed by the Governor in Council, examine every proposed regulation submitted in draft form to the Clerk of the Privy Council pursuant to the *Regulations Act* and every Bill introduced in or presented to the House of Commons, in order to ascertain whether any of the provisions thereof are inconsistent with the purposes and provisons of this Part and

he shall report any such inconsistency to the House of Commons at the first convenient opportunity.

4. The provisions of this Part shall be known as the *Canadian Bill of Rights*.

*Part II: Concerning War, Invasion or Insurrection*

5. (1) Nothing in Part I shall be construed to abrogate or abridge any human right or fundamental freedom not enumerated therein that may have existed in Canada at the commencement of this Act.

(2) The expression "law of Canada" in Part I means an Act of the Parliament of Canada enacted before or after the coming into force of this Act, any order, rule or regulation thereunder, and any law in force in Canada or in any part of Canada at the commencement of this Act that is subject to be repealed, abolished or altered by the Parliament of Canada.

(3) The provisions of Part I shall be construed as extending only to matters coming within the legislative authority of the Parliament of Canada.

6. Section 6 of the *War Measures Act*\* is repealed and the following substituted therefor:

6. (1) Sections 3, 4 and 5 shall come into force only upon the issue of a proclamation of the Governor in Council declaring that war, invasion or insurrection, real or apprehended, exists.

(2) A proclamation declaring that war, invasion or insurrection, real or apprehended, exists shall be laid before Parliament forthwith after its issue, or, if Parliament is then not sitting, within the first fifteen days next thereafter that Parliament is sitting.

(3) Where a proclamation has been laid before Parliament pursuant to subsection (2), a notice of motion in either House signed by ten members thereof and made in accordance with the rules of that House within ten days of the day the proclamation was laid before Parliament, praying that the proclamation be revoked, shall be debated in that House at the first convenient opportunity within the four sitting days next after the day the motion in that House was made.

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\* Section 6 of the *War Measures Act* now reads as follows:

"The provisions of the three sections last preceding shall only be in force during war, invasion, or insurrection, real or apprehended."

(4) If both Houses of Parliament resolve that the proclamation be revoked, it shall cease to have effect, and sections 3, 4 and 5 shall cease to be in force until those sections are again brought into force by a further proclamation but without prejudice to the previous operation of those sections or anything duly done or suffered thereunder or any offence committed or any penalty or forfeiture or punishment incurred.

(5) Any act or thing done or authorized or any order or regulation made under the authority of this Act, shall be deemed not to be an abrogation, abridgement or infringement of any right or freedom recognized by the *Canadian Bill of Rights*.

### **References for Further Reading**

#### *House of Commons Debates\**

Bill (C-60), introduced by the Prime Minister, followed by discussion by the Leader of the Opposition, House Leader of the CCF party, and others. *Debates*, September 5, 1958, p. 4638-4657.

First reading of Bill (C-79), No discussion. *Debates*, June 27, 1960, p. 5415.

Second reading, followed by discussion. *Debates*, July 1, p. 5642-5652; July 4, p. 5657-5720; July 5, p. 5726-5759, 5767-5790; July 7, p. 5884-5950.

Motion for Special Committee. *Debates*, July 7, p. 5950-5951.

Discussion based on reprinted bill incorporating amendments recommended by the Special Committee. *Debates*, August 1, p. 7371-7383; August 2, p. 7390-7452; August 3, p. 7460-7520; August 4, p. 7536-7553.

#### *Debates of the Senate\**

First and second reading of Bill, followed by discussion. *Debates*, August 4, 1960, p. 1203-1229.

Third reading, followed by discussion. *Debates*, August 5, 1960, p. 1235-1243.

*House of Commons. Special Committee on Human Rights and Fundamental Freedoms*. Proceedings, Nos. 1-12, July 17-29, 1960. Queen's Printer, Ottawa. \$5.60 a set.

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\* Copies of *Debates* in the House of Commons and Senate for the 1960 session are available from the Queen's Printer, Ottawa for 5 cents a copy, that is, per day. The *Debate* on September 5, 1958, is no longer available for purchase but it may be seen in any large public or university library.

*Voluntary organizations can play a vital role  
in the formation of public opinion*

## Time to Take Stock In Human Rights

To commemorate the twentieth anniversary of the adoption of the Universal Declaration of Human Rights, 1968 has been proclaimed by the United Nations as International Year for Human Rights. As an International Year, it will serve to focus world-wide attention on the rights and freedoms for citizens in all countries.

The United Nations has requested each member state to mark the Year by intensification of efforts to achieve a fuller realization of human rights goals. In keeping with this aim, a number of measures have been suggested by the U.N. as appropriate ways of observing the Year:

### *Review of National Legislation*

Member states have been invited to review their national legislation against the standards of the Universal Declaration and other international instruments relating to human rights. As a result, it is hoped that new laws or amendments to existing ones may be enacted to bring local legislation into conformity with the principles of the various human rights declarations and conventions.

All member states have been requested to establish or refine national machinery to give effect to fundamental rights and freedoms. The determination as to what machinery or improvement is required is for the respective governments to decide.

## *Education Programs*

Concentration of efforts on legal and institutional guarantees, although going far towards the realization of human rights goals, will not in itself ensure enjoyment of rights and freedoms. Attention needs to be directed as well to means of changing deep-seated prejudices and attitudes in such factors as race, colour, sex, and religion.

What is needed is a program of education, for both adults and children, designed to produce new thinking by citizens about human rights problems. The United Nations has suggested that this program should aim at mobilizing some of the energies and resources of

- 1) Universities, colleges, other institutions of higher learning
- 2) Teaching staff of primary and secondary schools
- 3) Foundations; charitable, scientific and research institutions
- 4) Media of information and mass communication, including newspapers, radio and television
- 5) Interested non-governmental organizations.

Their efforts could be directed towards the education of people about the status of human rights within and beyond their communities.

Conferences might be organized to invite educational institutions to consider how their curricula and teaching programs could be utilized to increase students' awareness of human rights questions. How could their extra-mural and other programs further the aims of adult education in human rights?

Educational authorities at primary, secondary and post-secondary levels also could be invited to review curricula and textbooks to eradicate any bias that might exist in relation to race, religion or ethnic origin.

\* \* \*

In view of these suggestions by the United Nations, what can Canadian citizens and voluntary organizations do to further human rights in Canada during 1968?

The answer lies in the essential role of voluntary organizations in the formation of public opinion. The kind of government

action which may take place at any time on a particular subject usually is the result of government response to public demand and opinion.

The first part of this opinion-forming role for the voluntary sector might be in identifying and debating issues so that the public has an opportunity to focus on current questions and arrive at some conclusions which might give orientation to the community at large.

Another basic function might be that of clarifying some of the concepts required to discuss human rights questions. What is meant by the words: *right, duty, liberty, freedom?* Do misconceptions exist? Do they hinder adequate understanding and communication about human rights matters?

What constitutes a right, in fact or in aspiration, will likely alter from time to time under the impact of changing social structures and new technology.

A voluntary agency can go one step further and deliberately set out to explore methodically and systematically the human rights field in an area pertaining to the specific interests of its membership. Its meetings, studies and discussions in many instances then may become that platform required for an issue to catch the attention of the public and receive the clarification needed.

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Some of the contemporary issues and questions which voluntary organizations may consider, discuss and work on during 1968 are the following:

### **A Canadian Bill of Rights**

What has been the effect of the existing Bill of Rights on Canadian legislation?

What effect will a Bill of Rights have if it is enshrined in the Constitution?

What should be included in a Bill of Rights?

What other remedies besides a Bill of Rights exist to guarantee certain rights and freedoms?

## **Human Rights Commissions**

What is the purpose and role of a Human Rights Commission?

What legislation is administered by such a Commission?

How do regional differences affect the role of these Commissions?

## **Ombudsman**

What are the functions of an Ombudsman?

Is such an institution compatible with Canadian traditions and practices?

What other ways are there to provide redress for citizens who claim to have been wronged by administrative actions or decisions of local, provincial or federal government officials?

What has been the experience of other countries in which an Ombudsman has been established?

## **Equality Before the Law**

Are language facilities provided to an accused person so that he understands the nature and cause of a charge against him?

Do accused persons have access to legal advice if they cannot afford a lawyer?

Is an accused person tried without undue delay between arrest and trial?

## **Right to Privacy**

How can the rights of the individual be safeguarded in such matters as wiretapping, electronic "bugging", credit records and other forms of gathering information about people?

What are the rights of society in matters of interference with a person's privacy?

## **Censorship**

What forms of censorships exist in Canada?

What is the role of censorship in relation to human rights?

What is the relationship between censorship and the requirements of public health and morals?

Who should decide what needs to be censored?

## **Social Welfare**

How does social welfare relate to human rights?

How do Canadian welfare standards compare with those of other countries?

What are the problems of financing social welfare measures?

## **Human Rights Jurisdiction**

What is the division of responsibility between federal and provincial governments in human rights matters? What rights are involved?

Which agencies of government have specific responsibilities for what rights?

What are the differences between provinces in the rights available to residents?

## **National Unity**

What is the role of human rights in forging and maintaining national unity?

What part do language and cultural rights play in Canadian society?

Can group rights be reconciled with individual rights?

How do cultural differences affect ways of thinking about human rights?

The foregoing are some of the questions which have concerned Canadians during 1967. As the International Year for Human Rights, 1968 offers Canadians a renewed opportunity to study such issues, to understand the problems involved in developing effective solutions and to work towards a fuller realization of human rights for all Canadians.

Organizations interested in obtaining more information about human rights matters or in participating in International Year observances should write: G. M. Belkin, Citizenship Branch, Department of the Secretary of State, Ottawa, or Alban Daigle, Canadian Commission—International Year for Human Rights, 270 MacLaren Street, Ottawa.

# **Universal Declaration of Human Rights**

## *Preamble*

*Whereas* recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

*Whereas* disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

*Whereas* it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

*Whereas* it is essential to promote the development of friendly relations between nations,

*Whereas* the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

*Whereas* Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

*Whereas* a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

*Now, Therefore, the General Assembly proclaims*

*This Universal Declaration of Human Rights* as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among

the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

*Article 1.* All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

*Article 2.* Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

*Article 3.* Everyone has the right to life, liberty and security of person.

*Article 4.* No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

*Article 5.* No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

*Article 6.* Everyone has the right to recognition everywhere as a person before the law.

*Article 7.* All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

*Article 8.* Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

*Article 9.* No one shall be subjected to arbitrary arrest, detention or exile.

*Article 10.* Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

*Article 11.* (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

*Article 12.* No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

*Article 13.* (1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country, including his own, and to return to his country.

*Article 14.* (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.

(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

*Article 15.* (1) Everyone has the right to a nationality.

(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

*Article 16.* (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending spouses.

(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

*Article 17.* (1) Everyone has the right to own property alone as well as in association with others.

(2) No one shall be arbitrarily deprived of his property.

*Article 18.* Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

*Article 19.* Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

*Article 20.* (1) Everyone has the right to freedom of peaceful assembly and association.

(2) No one may be compelled to belong to an association.

*Article 21.* (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

(2) Everyone has the right of equal access to public service in his country.

(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

*Article 22.* Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

*Article 23.* (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

(2) Everyone, without any discrimination, has the right to equal pay for equal work.

(3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

(4) Everyone has the right to form and to join trade unions for the protection of his interests.

*Article 24.* Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

*Article 25.* (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

*Article 26.* (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

*Article 27.* (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

*Article 28.* Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

*Article 29.* (1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

(2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

*Article 30.* Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

# HUMAN RIGHTS PUBLICATIONS

**Your Rights are Protected.** (Ontario Human Rights Commission, Toronto, 1967. Pamphlet, free.) Outlines the program of the Commission and the duty of the public to promote human rights. Available in Croatian, Dutch, French, German, Greek, Italian, Hungarian, Ukrainian.

**Prejudice—a Spiritual Pestilence.** Rabbi Abraham L. Feinberg. (Canada Department of Labour, 1967. 6 pp. Free.) One of a series of talks on racial and religious prejudice.

**Roots and Causes of Prejudice.** Prof. Marcus Long. (Canada Department of Labour, 1967. 6 pp. Free.) One of a series of talks on racial and religious prejudice.

**ABC's of Scapegoating.** Gordon W. Allport. (Anti-Defamation League of B'nai B'rith, Toronto, 1966. 35 pp. 50¢)

**Prejudice in Children.** Anti-Defamation League of B'nai B'rith, Toronto, 1963. 24 pp. 25¢.) A conversation with Benjamin Spock on parents and prejudice, integrated neighbours and the role of the teacher.

**Human Rights and Racial Equality—The Tactics of Combat.** (Ontario Woodsworth Memorial Foundation, 111 Eglinton Ave. E., Toronto, 1965. 16 pp. 25¢.)

**Human Rights in Canada...Related to Employment.** (Fair Employment Practices Branch, Canada Department of Labour, Ottawa, 1968. 30 pp. Free.) A review of federal and provincial anti-discrimination legislation and educational programs to combat discrimination.

**Equality of Opportunity and Pluralism in a Federal System: The Canadian Experiment.** (International Labour Organization, Ottawa, 1967. 38 pp. 25¢.)

## HUMAN RIGHTS FILMS

**The Lake Man.** (National Film Board, 1964, b & w, 27 min.) Alexis Ladouceur is the son of a "humiliated people", the Métis of western Canada. In earlier days the Métis were the backbone of the fur trade. Today Alexis lives in a log cabin on Lac la Biche and earns a modest living by fishing. He prefers to live close to nature and only occasionally visits town to drop in on the parish priest and chat with friends. His brother, Emile, is more worldly. He is equally at home on the farm behind the wheel of a tractor and at the local rodeo on the back of a bucking horse. A thoughtful film contrasting Alexis' acceptance of his lot in life to that of his brother who is attempting to fit into the white man's world.

**People Might Laugh at Us.** (National Film Board, 1965, colour, 9 min.) On a reserve in the Baie des Chaleurs region of Quebec, Micmac Indian children make birds and dolls of brightly coloured paper which they hang in trees, but are reluctant to have visitors see. The startling beauty of these works of art seems all the more remarkable when seen in the context of the austere and isolated community that gives birth to them. Shots of tumbling children and weather-worn shacks are interspersed with glimpses of paper dolls wafted by the breeze—a wordless but telling film-poem.

**Long Ways to Go.** (National Film Board, 1967, colour, 28 min.) Distinguished actor Percy Rodriguez plays the role of every man in this film which dramatizes the common rebuffs met by some West Indian Negroes in Canada as they look for work and a place to live. Situations represented include the Negro executive whose boss won't hire a Negro operator for the plant and the reply, "Sorry it's already rented" given to the Negro at the door by the landlord who has an empty apartment. An older and wiser Canadian Negro aptly sums up the situation in Canada when he reminds a hopeful newcomer from Antigua, "Brother, you've got a long ways to go."

## CITIZENSHIP PROGRAM MATERIAL

### **Canada at the Crossroads**

Bilingualism and biculturalism form the subject of the five articles in this booklet. The articles, previously printed in *Citizen*, are as follows: The Quiet Revolution in Quebec, The "Third Group" Looks at Bilingualism and Biculturalism, A Challenge in Citizenship, A Brief Look at Bilingualism, and How Other Countries Approach Bilingualism. Includes questions for discussion with a film list. 47 pp.

### **Let's Take a Look at Prejudice and Discrimination**

A study guide intended to provide background information on the nature, causes and effects of prejudice and discrimination, for the use of study groups. Discussion questions, suggested films and a reading list are included. 52 pp.

### **Citizenship in a Democracy**

Various aspects of citizenship and the democratic process are treated in five articles previously published in *Citizen*: The Citizen in a Democracy, Public Opinion in a Democracy, Voluntary Organizations and the Immigrant, All Those in Favour? and Some Characteristics of a Responsible Citizen. 40 pp.

*These publications are available free from the Citizenship Branch, Department of the Secretary of State, Ottawa, or any regional office of the Branch.*



